

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
04558.038003

Total Pages in this Submission

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**OPTICAL INFORMATION PROCESSOR AND OPTICAL ELEMENT**

and invented by:

Youichi SAITO, Junichi ASADA, Yuichi TAKAHASHI, Seiji NISHIWAKI, Kenji NAGASHIMA,  
Kazuo MOMOO, Junji NAGAOKA

17613 U.S. TO  
10/617167  
07/10/03

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: 09/436,847

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Which is a:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1.  Filing fee as calculated and transmitted as described below
2.  Specification having 39 pages and including the following:
  - a.  Descriptive Title of the Invention
  - b.  Cross References to Related Applications (*if applicable*)
  - c.  Statement Regarding Federally-sponsored Research/Development (*if applicable*)
  - d.  Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
  - e.  Background of the Invention
  - f.  Brief Summary of the Invention
  - g.  Brief Description of the Drawings (*if filed*)
  - h.  Detailed Description
  - i.  Claim(s) as Classified Below
  - j.  Abstract of the Disclosure



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PATENT TRADEMARK OFFICE

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**Application Elements (Continued)**

3.  Drawing(s) (*when necessary as prescribed by 35 USC 113*)  
a.  Formal Number of Sheets 20  
b.  Informal Number of Sheets \_\_\_\_\_

4.  Oath or Declaration  
a.  Newly executed (*original or copy*)  Unexecuted  
b.  Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)  
c.  With Power of Attorney  Without Power of Attorney  
d.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5.  Incorporation By Reference (*usable if Box 4b is checked*)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under  
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.

6.  CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)

7.  Application Data Sheet (See 37 CFR 1.76)

8.  Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all must be included*)  
a.  Computer Readable Form (CRF)  
b.  Specification Sequence Listing on:  
i.  CD-ROM or CD-R (2 copies); or  
ii.  Paper  
c.  Statement(s) Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

9.  Assignment Papers (*cover sheet & document(s)*)

10.  37 CFR 3.73(B) Statement (*when there is an assignee*)

11.  English Translation Document (*if applicable*)

12.  Information Disclosure Statement/PTO-1449  Copies of IDS Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)

15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*) This application claims foreign priority from  
Japanese Patent Application Nos. 10-317394  
filed 11/09/1998; 11-045748 filed  
02/24/1999; and 11-181667 filed 06/28/1999

16.  Certificate of Mailing  
 First Class  Express Mail (*Specify Label No.*): EV263169825US

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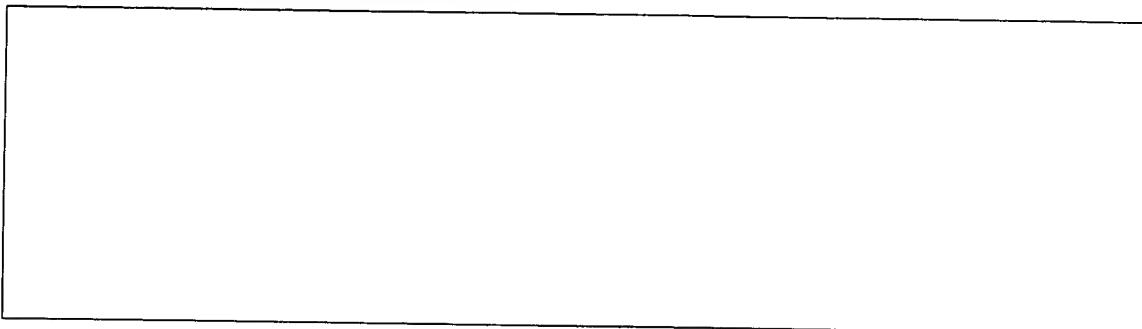
*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

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**Accompanying Application Parts (Continued)**

17.  Additional Enclosures (please identify below):



**Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)**

18.  Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

**Warning**

*An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.*

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**Fee Calculation and Transmittal**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	44	- 20 =	24	x \$18.00	\$432.00
Indep. Claims	2	- 3 =	0	x \$84.00	\$0.00
Multiple Dependent Claims (check if applicable)					\$0.00
				<b>BASIC FEE</b>	<b>\$750.00</b>
OTHER FEE (specify purpose)					\$0.00
				<b>TOTAL FILING FEE</b>	<b>\$1,182.00</b>

A check in the amount of **\$1,182.00** to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. **50-0591** as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of \_\_\_\_\_ as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
*Signature*

Dated: **7/10/03**

*J* Jonathan P. Osha, Reg. No. 33,986  
ROSENTHAL & OSHA L.L.P.  
1221 McKinney, Suite 2800  
Houston, Texas 77010

CC:

Telephone: 713-228-8600  
Facsimile: 713-228-8778

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Youichi SAITO et al.

Docket No.

04558.038003

Serial No.

Filing Date

Examiner

Group Art Unit

Invention: OPTICAL INFORMATION PROCESSOR AND OPTICAL ELEMENT

I hereby certify that this Preliminary Amendment*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under

37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents, ~~and Trademarks, Washington, D.C.~~  
~~20231-1450 MAIL STOP PATENT APPLICATION~~  
~~20231-0001 on~~ 7/10/03  
*(Date)*

P.O. Box 1450 ALEXANDRIA, VA

**Denise Blocker***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EV263169825US***("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Youichi SAITO et al.

Docket No.

04558.038003

Serial No.

Filing Date

Examiner

Group Art Unit

Invention: **OPTICAL INFORMATION PROCESSOR AND OPTICAL ELEMENT**I hereby certify that this **Divisional Patent Application***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under

37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.  
P.O. Box 1450, ALEXANDRIA, VA  
22313-1450 MAIL STOP PATENT APPLICATION  
20231-0001 on 7/10/03  
*(Date)***Denise Blocker***(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)***EV263169825US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**